



01/17/02

JC355 U.S. PTO

Please type a plus sign (+) inside this box →

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01-23-02 A

PTO/SB/05 (03-01)

Approved for use through 10/31/2002. OMB 0651-0032
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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|--|---|--|---|---|--|--------------------------------|--|--|--|--|--|---------------------------------|--|--|---------------------------|----------------------------|--------------------------|--------------------------|------------------------------------|------------------------------|--------------------------------|--|--|---------------|-----------------------|--|
| UTILITY PATENT APPLICATION TRANSMITTAL <i>(Only for new nonprovisional applications under 37 CFR 1.53(b))</i> | | Attorney Docket No. ROCH-001DIV | | | | | | | | | | | | | | | | | | | | | | | | |
| | | First Inventor CANNON, PAUL D. | | | | | | | | | | | | | | | | | | | | | | | | |
| | | Title HUMAN INTESTINAL NpT2b | | | | | | | | | | | | | | | | | | | | | | | | |
| | | Express Mail Label No. EV 036410360 US | | | | | | | | | | | | | | | | | | | | | | | | |
| APPLICATION ELEMENTS <i>SEE MPEP chapter 600 concerning utility patent application contents.</i> | | ADDRESS TO: Assistant Commissioner for Patents Box Patent Application Washington, DC 20231 | | | | | | | | | | | | | | | | | | | | | | | | |
| <p>1. <input checked="" type="checkbox"/> Fee Transmittal Form (e.g., PTO/SB/17) <i>(Submit an original and a duplicate for fee processing)</i></p> <p>2. <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.</p> <p>3. <input checked="" type="checkbox"/> Specification <i>(preferred arrangement set forth below)</i> -Descriptive title of the invention -Cross Reference to Related Applications -Statement Regarding Fed sponsored R & D -Reference to sequence listing, a table, or a computer program listing appendix -Background of the Invention -Brief Summary of the Invention -Brief Description of the Drawings (if filed) -Detailed Description -Claim(s) -Abstract of the Disclosure</p> <p>4. <input checked="" type="checkbox"/> Drawing(s) (35 U.S.C. 113) [Total Pages: 3]</p> <p>5. Oath or Declaration [Total Pages: 2] a. <input type="checkbox"/> Newly executed (original or copy) b. <input checked="" type="checkbox"/> Copy from a prior application (37 CFR 1.63 (d)) <i>(for continuation/divisional with Box 18 completed)</i> i. <input type="checkbox"/> DELETION OF INVENTOR(S) <i>Signed statement attached deleting inventor(s) Named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b)</i></p> <p>6. <input checked="" type="checkbox"/> Application Data Sheet. See 37 CFR 1.76</p> <p>7. <input type="checkbox"/> CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)</p> <p>8. Nucleotide and/or Amino Acid Sequence Submission <i>if applicable, all necessary</i> a. <input checked="" type="checkbox"/> Computer Readable Form (CRF) b. Specification Sequence Listing on: i. <input type="checkbox"/> CD-ROM or CD-R (2 copies); or ii. <input checked="" type="checkbox"/> paper c. <input checked="" type="checkbox"/> Statements verifying identity of above copies</p> | | | | | | | | | | | | | | | | | | | | | | | | | | |
| ACCOMPANYING APPLICATION PARTS | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <p>9. <input checked="" type="checkbox"/> Assignment Papers (cover sheet & documents(s))</p> <p>10. <input type="checkbox"/> 37 CFR 3.73(b) Statement <input type="checkbox"/> Power of Attorney <i>(when there is an assignee)</i></p> <p>11. <input type="checkbox"/> English Translation Document (if applicable)</p> <p>12. <input checked="" type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449 <input checked="" type="checkbox"/> Copies of IDS Citations</p> <p>13. <input checked="" type="checkbox"/> Preliminary Amendment</p> <p>14. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) <i>(Should be specifically itemized)</i></p> <p>15. <input type="checkbox"/> Certified Copy of Priority Document(s) <i>(if foreign priority is claimed)</i></p> <p>16. <input type="checkbox"/> Nonpublication Request under 35 U.S.C. 122 <i>(b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.</i></p> <p>17. <input type="checkbox"/> Other: _____</p> | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <p>18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76.</p> <p><input type="checkbox"/> Continuation <input checked="" type="checkbox"/> Divisional <input type="checkbox"/> Continuation-in-part (CIP) of prior application No.: 09/499,964</p> <p>Prior application information: Examiner: Para, P. Jr. Group Art Unit: 1632</p> <p>For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.</p> <p>19. CORRESPONDENCE ADDRESS</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 30%; padding: 5px;"><input checked="" type="checkbox"/> Customer Number or Bar Code Label</td> <td style="width: 40%; padding: 5px; text-align: center;">24353 <i>(Insert Customer No. or Attach bar code label here)</i></td> <td style="width: 30%; padding: 5px; text-align: right;">or <input type="checkbox"/> Correspondence address below</td> </tr> <tr> <td>Name Paula A. Borden</td> <td colspan="2"></td> </tr> <tr> <td>Address BOZICEVIC, FIELD & FRANCIS LLP</td> <td colspan="2"></td> </tr> <tr> <td colspan="2">200 Middlefield Road, Suite 200</td> <td></td> </tr> <tr> <td>City Menlo Park</td> <td>State California</td> <td>Zip Code 94025</td> </tr> <tr> <td>Country U.S.A.</td> <td>Telephone (650) 327-3400</td> <td>Fax (650) 327-3231</td> </tr> <tr> <td>Name Paula A. Borden</td> <td colspan="2">Registration No. (Attorney/Agent) 42,344</td> </tr> <tr> <td>Signature </td> <td colspan="2">Date January 17, 2002</td> </tr> </table> | | | <input checked="" type="checkbox"/> Customer Number or Bar Code Label | 24353 <i>(Insert Customer No. or Attach bar code label here)</i> | or <input type="checkbox"/> Correspondence address below | Name Paula A. Borden | | | Address BOZICEVIC, FIELD & FRANCIS LLP | | | 200 Middlefield Road, Suite 200 | | | City Menlo Park | State California | Zip Code 94025 | Country U.S.A. | Telephone (650) 327-3400 | Fax (650) 327-3231 | Name Paula A. Borden | Registration No. (Attorney/Agent) 42,344 | | Signature | Date January 17, 2002 | |
| <input checked="" type="checkbox"/> Customer Number or Bar Code Label | 24353 <i>(Insert Customer No. or Attach bar code label here)</i> | or <input type="checkbox"/> Correspondence address below | | | | | | | | | | | | | | | | | | | | | | | | |
| Name Paula A. Borden | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Address BOZICEVIC, FIELD & FRANCIS LLP | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 200 Middlefield Road, Suite 200 | | | | | | | | | | | | | | | | | | | | | | | | | | |
| City Menlo Park | State California | Zip Code 94025 | | | | | | | | | | | | | | | | | | | | | | | | |
| Country U.S.A. | Telephone (650) 327-3400 | Fax (650) 327-3231 | | | | | | | | | | | | | | | | | | | | | | | | |
| Name Paula A. Borden | Registration No. (Attorney/Agent) 42,344 | | | | | | | | | | | | | | | | | | | | | | | | | |
| Signature | Date January 17, 2002 | | | | | | | | | | | | | | | | | | | | | | | | | |

Burden Hour Statement: This form is estimated to take .2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

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01/17/02

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FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$ 780.00)

METHOD OF PAYMENT

1. The Commissioner is hereby authorized to charge indicated fees and credit overpayments to:
 Deposit Account Number 50-0815
 Deposit Account Name Bozicevic, Field & Francis LLP
 Charge Any Additional Fee Required
 Under 37 CFR 1.16 and 1.17
 Applicant Claims small entity status.
 See 37 CFR 1.27

2. Payment Enclosed: Check Credit Card Money Order Other

FEE CALCULATION

2. BASIC FILING FEE

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description | Fee Paid |
|----------------------------|----------------------------|------------------------|----------|
| 101 740 | 201 370 | Utility filing fee | 740.00 |
| 106 330 | 206 165 | Design filing fee | |
| 107 510 | 207 255 | Plant filing fee | |
| 108 740 | 208 370 | Reissue filing fee | |
| 114 160 | 214 80 | Provisional filing fee | |
| SUBTOTAL (1) | | | 740.00 |

1. EXTRA CLAIM FEES

| Total Claims | 1-20** | = X | Fee from below | Fee Paid |
|----------------------------|----------------------------|-----|--|----------|
| Indep. Claims | 1-3* | = 2 | X = | |
| Multiple Dependent | | | = | |
| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | | Fee Description | |
| 103 18 | 203 9 | | Claims in excess of 20 | |
| 102 84 | 202 42 | | Independent claims in excess of 3 | |
| 104 280 | 204 140 | | Multiple dependent claim, if not paid | |
| 109 84 | 209 42 | | ** Reissue independent claims over original patent | |
| 110 18 | 210 9 | | ** Reissue claims in excess of 20 and over original patent | |
| SUBTOTAL (2) \$ | | | | |

**or number previously paid, if greater; For Reissues, see above.

| Complete if Known | | | | | | | | | |
|-----------------------------------|-----------------------|-----------------------|---|-------------|--|--|--|--|--|
| Application Number | | Unassigned | | | | | | | |
| Filing Date | | January 17, 2002 | | | | | | | |
| First Named Inventor | | CANNON, PAUL D. | | | | | | | |
| Examiner Name | | | | | | | | | |
| Group Art Unit | | | | | | | | | |
| TOTAL AMOUNT OF PAYMENT | | Attorney Docket No. | | ROCH-001DIV | | | | | |
| METHOD OF PAYMENT | | | | | | | | | |
| FEE CALCULATION (continued) | | | | | | | | | |
| 3. ADDITIONAL FEES | | | | | | | | | |
| Fee Code | Large Entity Fee (\$) | Small Entity Fee (\$) | Fee Description | Fee Paid | | | | | |
| 105 | 130 | 205 | 65 Surcharge – late filing fee or oath | | | | | | |
| 127 | 50 | 227 | 25 Surcharge – late provisional filing fee or cover sheet | | | | | | |
| 139 | 130 | 139 | 130 Non-English specification | | | | | | |
| 147 | 2,520 | 147 | 2,520 For filing a request for ex parte reexamination | | | | | | |
| 112 | 920* | 112 | 920* Requesting publication of SIR prior to Examination action | | | | | | |
| 113 | 1,840* | 113 | 1,840* Requesting publication of SIR after Examiner action | | | | | | |
| 115 | 110 | 215 | 55 Extension for reply within first month | | | | | | |
| 116 | 400 | 216 | 200 Extension for reply within second month | | | | | | |
| 117 | 920 | 217 | 460 Extension for reply within third month | | | | | | |
| 118 | 1,440 | 218 | 720 Extension for reply within fourth month | | | | | | |
| 128 | 1,960 | 228 | 980 Extension for reply within fifth month | | | | | | |
| 119 | 320 | 219 | 160 Notice of Appeal | | | | | | |
| 120 | 320 | 220 | 160 Filing a brief in support of an appeal | | | | | | |
| 121 | 280 | 221 | 140 Request for oral hearing | | | | | | |
| 138 | 1,510 | 138 | 1,510 Petition to institute a public use proceeding | | | | | | |
| 140 | 110 | 240 | 55 Petition to revive – unavoidable | | | | | | |
| 141 | 1,280 | 241 | 640 Petition to revive – unintentional | | | | | | |
| 142 | 1,280 | 242 | 640 Utility issue fee (or reissue) | | | | | | |
| 143 | 460 | 243 | 230 Design issue fee | | | | | | |
| 144 | 620 | 244 | 310 Plant issue fee | | | | | | |
| 122 | 130 | 122 | 130 Petitions to the Commissioner | | | | | | |
| 123 | 50 | 123 | 50 Processing fee under 37 CFR 1.17(q) | | | | | | |
| 126 | 180 | 126 | 180 Submission of Information Disclosure Stmt | | | | | | |
| 581 | 40 | 581 | 40 Recording each patent assignment per property (times number of properties) | 40.00 | | | | | |
| 146 | 740 | 246 | 370 For each additional invention to be examined (37 CFR § 1.129(a)) | | | | | | |
| 149 | 740 | 249 | 370 For each additional invention to be examined (37 CFR § 1.129(b)) | | | | | | |
| 179 | 740 | 279 | 370 Request for Continued Examination (RCE) | | | | | | |
| 169 | 900 | 169 | 900 Request for expedited examination of a design application | | | | | | |
| Other fee (specify) _____ | | | | | | | | | |
| *Reduced by Basic Filing Fee Paid | | | | | | | | | |
| SUBTOTAL (3) (\$ 40.00) | | | | | | | | | |

| SUBMITTED BY | | Complete (if applicable) | | | |
|-------------------|-----------|--------------------------|-----------------------------------|-----------------|--------------------------|
| Name (Print/Type) | Signature | Paula A. Borden | Registration No. (Attorney/Agent) | 42,344 | Telephone (650) 327-3400 |
| | | | | Date 01/17/2002 | |

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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**NOTIFICATION OF PRIOR SEQUENCE
LISTING**

| | |
|----------------------|---------------|
| Application Number | Unassigned |
| Confirmation Number | |
| Filing Date | Herewith |
| First Named Inventor | Cannon et al. |
| Examiner | |
| Group Art | |
| Attorney Docket No. | ROCH-001DIV |

ADDRESS TO: Assistant Commissioner for Patents
Washington, D.C. 20231

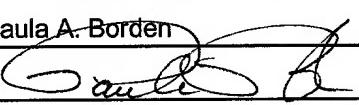
Sir:

The above-identified patent application contains sequences of nucleic acid and polypeptides. A sequence listing was prepared for parent application, Serial No. 09/499,964, filed February 8, 2000, in paper and computer-readable format. The sequences in the present application are identical to those presented in the parent application. Therefore, please transfer to this application , in accordance with 37 CFR 1.821(e), the computer readable copy from applicants' other application.

Applicants respectfully submit that the present patent application is now in compliance with 37 CFR 1.821 - 1.825.

The Commissioner is authorized to charge any fees which may be required, or credit any overpayment to Deposit Account 50-0815. If additional fees are required, including extensions of time, please consider this a petition therefore.

SIGNATURE OF APPLICANT, ATTORNEY OR AGENT REQUIRED

| | | | | | |
|-------------------------|---|-------|------------------|---------------------------------|-------|
| Name (Print/Type) | Paula A. Borden | | Registration No. | 42,344 | |
| Signature |  | | Date | Jan. 17, 02 | |
| Firm Name | Bozicevic, Field & Francis LLP | | Address | 200 Middlefield Road, Suite 200 | |
| City | Menlo Park | State | California | zip | 94025 |
| Telephone - Direct Dial | (650) 327-7710 | | Facsimile | 650-327-3231 | |

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231.

| | | | | | |
|-------------------|-----------------|-----------|--|------|---------|
| Name (Print/Type) | Margaret Pierce | Signature |  | Date | 1/17/02 |
|-------------------|-----------------|-----------|--|------|---------|